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2837

Attorney Docket No. 1453.1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Akira SUGIYAMA

Application No.: 09/377,827

Group Art Unit: 2837

Confirmation No.: 8358

Filed: August 20, 1999

Examiner: Marlon T. FLETCHER

For:

DATA PROCESSOR

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. 10.40(c))

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR PERMISSION TO WITHDRAW

1. The undersigned attorneys respectfully request permission to withdraw from all further responsibility for the above-identified application, in accordance with 37 C.F.R. §§1.36 and 10.40(c).

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the inventor(s) is:

Mr. Akira Sugiyama
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Sugesengoku, Tama-ku
Kawasaki-shi, Kanagawa-ken
JAPAN

BASIS FOR WITHDRAWAL REQUEST

3. The attorneys of record have rendered substantial legal services and expended substantial out-of-pocket sums on behalf of applicant Sugiyama through his Japanese counsel, Minoru Tsuji, Tsuji Patent Office:

Mr. Minoru Tsuji
TSUJI PATENT OFFICE
Dai-ichi Mansui Building
3-14, Kandaogawa-cho
Chiyoda-ku, Tokyo 101-0052
Japan

In addition to the foregoing, the attorneys of record have had substantial on-going communications with Mr. Minorui Tsuji of the Tsuji Patent Office, noted above, about the delinquent state of the account which has led to no resolution. Notwithstanding, the foregoing counsel filed an Appeal Brief on or about August 22, 2005, copy enclosed.

Still further, the attorneys of record have continuously communicated with both Mr. Sugiyama and Mr. Tsuji about the prosecution of this application, but have not received responses and instructions. See attached letters dated August 26, September 6, September 8, October 11 and 24, 2005 and November 7, 2005 to Mr. Tsuji and Mr. Sugiyama. These letters have not been answered.

4. We believe that the firm will be harmed if we must continue to assume responsibility in any way over this application. As will be apparent from the above-mentioned letters the firm is owed substantial sums for services previously performed and cannot even communicate with the applicant or his Japanese counsel.

5. Once the application for our withdrawal is approved, kindly direct all future correspondence regarding this application to the Applicant(s) at the above-noted address.

ALLOWANCE OF TIME FOR CLIENT TO ACT

6. Status of this application:

Applicant's Appeal Brief and Petition and Fee for Extension of Time were filed August 22, 2005.

NOTIFICATION TO CLIENT

7. In accordance with 37 C.F.R. 10.40(a), a copy of this request, including attachments is being sent to the Applicant and Mr. Tsuji.

NUMBER OF COPIES OF REQUEST

8. This request is being filed in triplicate (Original plus two copies).

9. In conclusion, due to the absence of receiving all our fees from the Applicant, we do not want to expend any further time on this application or continue to be responsible in any way thereof. For this reason, we earnestly solicit the Commissioner's prompt consideration and approval of this application to withdraw.

10. The undersigned is the senior advisor of the firm.

Date: Nov 14, 2005

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Respectfully submitted,

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By: _____

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